

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RODERICK SKINNER, I,

Plaintiff,

v.

EDWARD T. REED, *et al.*,

Defendants.

Case No. 3:23-cv-00098-MMD-BNW

ORDER

Pro se Plaintiff Roderick Skinner, who is incarcerated at Northern Nevada Correctional Center, brings this action against Defendants Edward T. Reed, Esq. and Edward T. Reed, PLLC under 42 U.S.C. § 1985, 42 U.S.C. § 1986, Nev. Rev. Stat § 197.200, and RICO. Before the Court is United States Magistrate Judge Brenda N. Weksler's Report and Recommendation ("R&R") (ECF No. 33), recommending that the Court dismiss this action for failure to file an amended complaint by the court-ordered deadline. Plaintiff had until July 11, 2025, to file an objection. (ECF No. 32.) To date, Plaintiff has not filed an objection to the R&R. For this reason, and as explained below, the Court adopts the R&R in full, and grants dismisses the case without prejudice.

Because there is no objection, the Court need not conduct *de novo* review. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) ("De novo review of the magistrate judges' findings and recommendations is required if, but only if, one or both parties file objections to the findings and recommendations."); Fed. R. Civ. P. 72, advisory committee note to 1983 amendment (providing that the Court "need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation"). Having reviewed the R&R, Judge Weksler did not clearly err. In the R&R, Judge Weksler considers dismissal for Plaintiff's failure to comply with the Court's order to file a third amended complaint by June 7, 2025. As Judge Weksler notes, Plaintiff

1 neither filed an amended complaint nor moved for an extension to do so. (ECF No. 33 at
2 1.) The Court agrees with Judge Weksler that of the five factors a court must consider
3 when deciding to dismiss an action, the first four factors weigh in favor of dismissal, and
4 though dismissal is a drastic outcome, the Court also agrees that the present action
5 cannot proceed without an operative complaint. (*Id.* at 1-2.) Accordingly, the Court adopts
6 Judge Weksler's recommendations to dismiss this case without prejudice for failure to file
7 an amended complaint by the court-ordered deadline.

8 It is therefore ordered that Judge Weksler's Report and Recommendation (ECF
9 No. 33) is accepted and adopted in full.

10 It is further ordered that Plaintiff's Second Amended Complaint (ECF No. 26) is
11 dismissed without prejudice.

12 The Clerk of Court is directed to enter judgment accordingly and close this case.

13 DATED THIS 24th Day of July 2025.

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16 MIRANDA M. DU
17 UNITED STATES DISTRICT JUDGE
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